SUMMARY OF FINDINGS:

This inspection was performed to collect samples of slingshots available and to obtain copies of all injury reports.

Inspection disclosed the Vice President is aware of three injury complaints consisting of the original complaint subject to the inspection of 8/31/89 (no further action taken-no further inquiry) and two other complaints eye injuries as noted in the attached letter of 11/15/93 and 10/03/94.

Samples of five blaster water slingshot products were collected as follows 90 yard, 120 yard, 150 yard, 120 yard kit and a 200 yard blaster. These props were collected under sample numbers T-800-3242-3246, copies attached.

Inspection disclosed the firm continues to operate this business from their residence. The slingshots are assembled at this location and shipped from this location. Mrs. Sally A. Magnuson, Vice President of the firm stated the firm has manufactured and sold these water sling shots for the past ten years with only the three or four mentioned injury complaints.

STRUCTURE & TYPE OF BUSINESS:

Mrs. Magnuson stated the firm was originally incorporated in the state of Illinois during 1985, and now in addition to the Illinois corporation, the firm currently operates as a foreign corporation in Florida. The officers of the corporation as provided by Mrs. Magnuson are:

Mr. Eric E. Magnuson, President, Mrs. Sally A. Magnuson, Vice President Treasurer and Secretary.

The distribution of these products are directed to wholesalers and direct mail order customers, directly from the residence. There are no subsidiaries, franchised operations or distribution warehouses involved. The firm uses the trade name "Blaster" and "Master Blaster as the name for smaller and larger size water balloons slingshots respectively. Since the inspection of 8/31/89, the firm has been issued a patent for the two sizes of water balloon slingshots.

Currently Mrs. Magnuson stated the firm produces approximately 10,000 blasters annually with approximately 75% of the sales being made outside of Florida.

COMPLIANCE HISTORY:

Inspection of 8/31/89 was prompted as a complaint reported to CPSC by the Michele Snow Foundation reacting to an ad placed in the Rolling Stones magazine. I have no other reports regarding the C.X. Blaster firm at the resident office.

INDIVIDUAL RESPONSIBILITY & PERSONS INTERVIEWED:

Ms. Magnuson stated the firm is operated from her residence, with the responsibility being shared with her husband, Mr. Eric E. Magnuson as President.

I presented my credentials and issued a Notice of Inspection to Mrs. Sally A. Magnuson, Vice President of the firm. She invited me into her residence and provided information for this report. The entire inspection took place in Mrs. Magnuson's kitchen area.

COMPLAINT FILES:

I explained the purpose of the inspection to Mrs. Magnuson and asked for access to her complaint files. Mrs. Magnuson provided a folder approximately two inches thick relating to the two complaints of eye injuries previously noted above. I selected from this material, a letter date 11/15/93 involving an injury to Brian Watts, date of loss noted 7/20/93. A copy of this letter is attached exhibit as #1.

I also selected a copy of a letter dated 10/3/94 relating to claimant Chad Knickerbocker, date of loss dated 8/17/94. A copy of this letter is attached as exhibit #2.

Mrs. Magnuson stated she has never had product liability insurance during the entire time the firm was in business.

Mrs. Magnuson stated the two reported cases appear to be a case of misuse, eye goggles were not used as recommended in the material supplies with the blaster units. In one case, she stated the water slingshot in use, was obviously not hers as the test results showed the tubing to be butyl rubber, while she has used only latex surgical tubing exclusively since the inception of the firm.

PRODUCT GUARANTEES & CERTIFICATION:

The product is guaranteed as to workmanship, the product carries no certification. The plastic bags containing the slingshots state, "***Manufacturer will replace or refund any defective product.***

PRODUCT IDENTIFICATION:

The product essentially consists of two loops of surgical tubing, connected together with a canvas cloth pouch. The pouch is used as a loading mechanism for the water filled balloons which are used as a projectile. The slingshot is operated by loading the pouch, and pulling back on the surgical tubing while releasing the water filled projectile.

QUALITY CONTROL & TESTING PROGRAM:

Mrs. Magnuson stated she has no formalized quality control & testing program other than the visual examination of the finished product. She stated she relied on the testing procedures of the surgical tubing as supplied Kent Latex Product Ins., Kent Ohio.

COMPONENTS:

The slingshot consists of natural latex surgical tubing supplied by Kent/Latex, 1500 St. Claire Ave. P.O. Box 668, Kent Ohio 44240-0668, 1-800-331-4762.

The contract stitching attachment of the surgical tubing to the cloth pouch is now performed Lau Hoa at 1460 Overcash St., Dunedin, Florida, 34698 (813) 733-2682, Beeper (813) 445-3205.

SAMPLES COLLECTED:

Samples of five different types of slingshots were collected as follows:

T-800-3242 A 90 yard model. Please note the labelling for this 90 yard model is consistent with the other four models. This product is within a re-useable zip type plastic bag, labeled in part, "***MADE IN USA 90 YARDS/BLASTED/WATER/BALLOONS/SLINGSHOT/PICNIC-PARTIES-REUNIONS-CAMPING-/YOUTH GROUP ACTIVITIES-FUNDRAISING/FUND!!!!/PATENTED SURGICAL TUBING HEAVY DUTY CANVAS POUCH TEAR-PROOF VINYL GRIP/RE-USABLE PACKAGE CONTAINS ONE SLINGSHOT/BIODEGRADABLE BALLOONS NOT INCLUDED***".

The reverse side of this package reads in part, Consumer Advisory:/THE SOLE PURPOSE OF THIS PRODUCT IS TO LAUNCH WATER/BALLOONS INTO AREA VOID OF PEOPLE, ANIMALS OR PERSONAL/PROPERTY. ***SAFE USE OF THIS PRODUCT IS YOUR RESPONSIBILITY. It Is NOT TRUE that water filled balloons are completely safe when thrown at a person. Water/Balloons travel at speeds fast enough to cause serious injury if they hit a/person. DO NOT/aim your water balloon slingshot at or near a person. NEVER/launch balloons at eye level. NEVER use this product if there are signs of wear/check before it's use. Always be sure that tubing connection are/secure when in use. Protective eye goggles are recommended. ***". C.X. BLASTER CO., INC. except no responsibility or liability for mis-handling, misuse, damage or injury from noncompliance with instructions. User assumes responsibility and liability for use of this product. Manufacturer will replace a refund any defective product/C.X. BLASTER CO., INC., Springhill, Florida***".

T-800-3243 - A 120 yard model with similar labelling as above.

T-800-3244 - A 100 yard model with similar labelling to above. Please note that the surgical tubing on this model is thicker, but shorter than all the other models.

T-800-3245 - a 120 yard kit. This kit is in a box labelled in part, "120/ YARDS/BLASTER/BALLOONS/SLINGSHOT/PICNICS-PARTIES-REUNIONS-CAMPING/YOUTH GROUP ACTIVITIES-FUNDRAISING/FUND!!!/PATENTED/SURGICAL TUBING HEAVY DUTY CANVAS POUCH TEAR-PROOF/VINYL GRIP/RE-USABLE PACKAGE CONTAINS ONE SLINGSHOT***". The top of the box contains the balloon warning, "WARNING: CHOKING-Children under eight years can choke or suffocate on uninflated or broken balloons. Adult supervision required. Keep uninflated balloons from children. Discard broken balloons at once***. "KIT INCLUDES 1-120 Yard BLASTER/72-B Balloons Easy Filler Nozzle***". The side of the box states in part, "Adult Supervision Participation Recommended".

The rear of the box has the customer advisory as previously noted in the above samples relating to the sole purpose of the product is to launch water balloons into areas void of people***Water Balloons travel at speeds enough to cause serious water injuries if they hit a person. DO NOT aim your water balloon sling shot at or near a person. NEVER launch balloons at eye level. Never use this product if there are signs of wear. Check before its use. Always be sure the tubing connection are secure when in use. Protective eye goggles are recommended. ***". This box also includes the notice C.X. BLASTER CO., INC. Excepts no responsibility or liability for his-handling, misuse, damage or injury from non-compliance with instructions. User has sole responsibility and liability for use of this product. Manufacturer will replace or refund any defective product./ C.X. BLASTER, CO., Inc., Springhill, Florida***".

The balloons within the kit contain the balloon hazard warnings as noted on the box.

T-800-3246 a 200 Yard Model. This is a recent addition to the product line, and consequently all packaging has not been completed. Ms. Magnuson stated that the usual procedure is to include a typical blaster water balloon slingshot re-usable bag, crossing out the inappropriate yard designation on the bag. The labelling of this plastic bag is similar to the labelling above. In addition, Mrs. Magnuson includes another piece literature label, "THE HUMAN WATER BALLOON SLINGSHOT/LAUNCHES WATER BALLOONS/MORE THAN A CITY BLOCK/MASTERBLASTER***. The reverse of this piece of literature is similar to the above label including, "THE BLASTER/INSTRUCTIONS WARNINGS:

- 1. The Blaster is made for the sole purpose of launching Water Balloons.
- 2. The Blasted is an adult toy.
- 3. User Responsibility
- 4. The Blasted is to be used in areas where there are open fields and inanimate objects.***
- 5. The Blasted should never be used to shoot water balloons at people or animals***USE DISCRETION.
- 6. Protective eye goggles are to be used at all times while using the Blasted. NEVER LAUNCH BALLOONS AT EYE LEVEL!!!!

7. The Blaster should be stored out of ultra-violet light or direct sunlight/WARNING! WARNING! WARNING! PROPERTY DAMAGE AND SERIOUS INJURY IS A REALISTIC POSSIBILITY WITH THE BLASTER. FOLLOW ALL WARNINGS AND USE DISCRETION. PATENT PENDING.***".

MANUFACTURING OPERATIONS:

The pre-cut surgical tubing is mated with a cloth pouch and contract stitched at Lau Hoa, Donedin, Florida. The finished units are collected at the Magnuson residence where the slingshots are placed within the plastic bag along with the aforementioned literature. The finished products are distributed directly from the Magnuson residence.

PRODUCT LABELLING:

The product labelling is described in the above sample collections.

PRODUCT CODES:

None.

DISTRIBUTION:

The Blasters are distributed directly from the Magnuson residence, with 75% going outside of Florida. Copies of representative invoices are attached.

PROMOTION AND ADVERTISING:

Ms. Magnuson stated that advertising has been reduced to ads placed in Boy's Life (see attached exhibit #3), and Popular Science, (see the attached exhibit #4).

PATENT:

Mrs. Magnuson stated during 1989, she received a patent for the two sizes of water balloons. She felt at that time, that having a product patented, she would have a certain amount of control over other manufacturers who would want to use the patent. She has discovered, however, that the patent offers little protection as knockoff manufacturers are producing essentially the same water slingshot model without benefit of a patent. Mrs. Magnuson was also aware that other manufacturers use butyl rubber for the tubing and that butyl is not as good as surgical latex for this application. Further, she has had no success in attempting to have other manufacturers label the products as to the inherent danger of using the device such as a slingshot, or crossbow.

Mrs. Magnuson feels that at least two of the three injury complaints that she is aware of may not be her product. One of the complaints especially relates an analysis on butyl rubber tubing which she does not use.

STANDARDS:

I am not aware of mandatory or voluntary standards for water balloon slingshots.

DISCUSSION WITH MANAGEMENT:

I explained to Mrs. Magnuson that the purpose of the inspection was to collect samples of the water slingshot balloons being manufactured at this address, and to review and obtain copies of any consumer injuries, or deaths relating to the use of water balloons manufactured at this facility.

Mrs. Magnuson stated that the prior inspection of 8/31/89 involved a water balloon slingshot not manufactured by her facility, and was never advocated to be used, "naval warfare".

She also stated that since the last inspection, the promotional material now depicts the user with goggles, where the prior promotional material displayed the user void of any protector eyewear.

EXHIBITS:

The following exhibits are attached:

- 1. Complaint dated 11/15/93 regarding Brian Watts, date of injury 7/20/93.
- 2. Copy of complaint dated 10/3/94 regarding eye injury to Chad Knickerbockers, date of accident 8/17/94.
- 3. Copy of the ad in Boys Life April 1995
- 4. Copy of ad in Popular Science April 1994
- 5. Copies of representative invoices
- 6. Copy of the labelling on the re-usable plastic water balloon slingshot bag. Note the users are now depicted with goggles.
- 7. Copy of purchase order.
- 8. Copy of collection report T-800-3242 90 yard model
- 9. T-800-3242 120 Yard Model
- 10. T-800-3244 150 Yard Model
- 11. T-800-3245 120 Yard Kit
- 12. T-800-3246 200 Yard Model
- 13. Copy of the assignment

Edward J. Morganto Resident Investigator Orlando Resident Office

U.S. CONSUMER PRODUCT SAFETY COMMISSION NOTICE OF INSPECTION Notice of Inspection is hereby given pursuant to: • Flammable Fabrics Act (15 U.S.C. 1191 et seq.); • Federal Trade Commission Act (15 U.S.C. 41 et seq.); • Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076) • Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 er seq.)] and/or Section 11(b) of the Rederal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)). Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language. 5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED. The purpose of this inspection is to obtain information: to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission. 8. FREEDOM OF INFORMATION REQUIREMENTS Those from whom information is requested should state whether any of the information submitted is believed to contain or relate to a trade secret or other matter which should be considered by the Commission to be confidential and whether any of the information is believed to be entitled to exemption from disclosure by the Commission under the provisions of the Freedom of Information Act (15 U.S.C. 552). Any statement asserting this claim of confidentiality must be in writing, and any request for exemption of the information from disclosure must be made in accordance with the Commission's Freedom of Information Act regulations. 16 CFR. Part 1015. 7. SIGNATORE (A

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ACHIBIT I

MC. AMS. PONTI & WERNETTE, P.

ATTORNEYS AT LAW

103 EAST POPLAR

WALLA WALLA, WASHINGTON 99362

TELEPHONE 825-500

November 15, 1993

Diane Dimich
Commercial Union Insurance Companies
P. O. Box 29037
Glendale, California 91209-9037
Your Claim No. A1-02888M

Ken Briscoe Liberty Mutual 1660 South Highway 100 Minneapolis, Minnesota 55416 Your Claim No. P465-071151-01

CX Blaster Company 13218 Jessica Drive Spring Hill, Florida 34609

GARY PONTI

JEAN R. WEIL

RICHARD G. WERNETTE

Re: Our Client: Brian Watts
Date of Loss: 07/20/93

Dear Gentlemen and Ms. Dimich:

I have been retained by the parents of Brian Watts to represent his interest arising out of the injury suffered by him on 07/20/93. Accordingly, all future contact or actions regarding this claim should be through my office.

Preliminarily, I have examined the product, the instructions, and the disclaimers. Two of the products are in my office. One is new and, the other is used. I must say, in my twenty-five (25) years of practice, I have never seen a product so poorly designed and manufactured. Assuming that the product has some redeeming social value, which it doesn't, the instructions are inadequate in terms of warning those who will likely use the product. It is a product almost guaranteed to injure. That guarantee came true with Brian. His eye is seriously damaged. We do not yet know the extent of the damage, but recent findings include a tear in the iris and continuing pain behind the eye and vision changes.

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SING HAC FC
6/6/95

ill be made against you tained. I suggest that

Page 2 November 15, 1993

You are put on notice that demand will be made against you for the injuries that Brian has sustained. I suggest that you review the Washington Product Liability law which, in this case, is likely to thrust liability not only upon the manufacturer, who claims to be uninsured, but also the distributor and the retailer.

No suit action will be filed immediately. We are awaiting a medical exam scheduled for mid-month. Though our fingers are crossed, every indication indicates that this eye injury is serious and permanent. If so, Brian's losses will be catastrophic.

Very truly yours,

MCADAMS, PONTI & WERNETTE, P.S.

RONALD K. MCADAMS

RKM: kb

cc: Ms. Brenda Watts

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To:

SPORTS & MARINE PARAFUNALIA

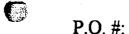
RT 11-B

GILFORD, NH 03246

Quantity	Item Numbe	r Item	Unit Price	e Total	
	24241	90 YARD LAUNCHER			
	24242	120 YARD LAUNCHER			
12	24243	150 YARD LAUNCHER	7.00	84.00	
12	24244	120 YARD KIT	7.50	90.00	
72	24249	144 3" BALLOON	1.20	86.40	
	24247	144 4" BALLOON			•
. •	24250	72 3" BALLOON			
12	24251	72 BALLOON & FILLE	R 1.20	14.40	
	24248	BALLOON FILLER			
			SUB TOTAL	274.80	٠.
			FREIGHT -		•
`			TOTAL	274.80	

THANK YOU FOR YOUR ORDER

13218 Jessica Dr. Spring Hill, FL 34609 (904) 683-4862 Fax (904) 683-6281



Order Date: 5-30-95

INVOICE 😈

Ship Via: UPS

Ship Date: 5-30-95

Terms: NET 30

3/3

To: MR. CHECK OUT 95 JANINE CT. BUFFALO, NY 14227

Quantity	Item Numbe	r Item	Unit Price	Total
36	24241	90 YARD LAUNCHER	4.50	162.00
	24242	120 YARD LAUNCHER		
12	24243	150 YARD LAUNCHER	5.85	70.20
54	24244	120 YARD KIT	6.30	340.20
	24249	144 3" BALLOON		
	24247	144 4" BALLOON		
	24250	72 3" BALLOON		
	24251	72 BALLOON & FILLE	R · -	Ţ,
	24248	BALLOON FILLER		
	·		SUB TOTAL	572.40
			FREIGHT -	
			TOTAL	572.40

THANK YOU FOR YOUR ORDER



CUSTOMER ADVISORY:

THE SOLE PURPOSE OF THIS PRODUCT IS TO LAUNCH WATER BALLOONS INTO AREAS VOID OF PEOPLE, ANIMALS OR PERSONAL PROPERTY. It is great for distance and accuracy contests. SAFE USE OF THIS PRODUCT IS YOUR RESPONSIBILITY. It is NOT TRUE that water filled balloons are completely safe when thrown at a person. Water balloons travel at speeds fast enough to cause serious injury if they hit a person. DO NOT aim your water balloon slingshot at or near a person. NEVER launch balloons at eye level. Never use this product if there are signs of wear. Check before each use. Always be sure that the tubing connections are secure when in use. Protective eye goggles are recommended.

INSTRUCTIONS

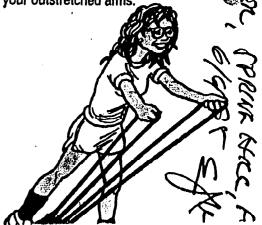
NOTE: Use small round water balloons and fill them to THE SIZE OF A TENNIS BALL. If the balloons break as they leave the pouch, it is likely that you are holding the handles further than three feet apart OR your balloons are too full.

THREE PERSON (safest and most accurate) - SEE FRONT OF BAG: Two players stand three feet apart facing their target, each grasping one of the vinyl grips and tubing connector with their inside hand. Always grasp tubing connection AND vinyl grips TOGETHER. DO NOT insert hand between the tubing connection and vinyl grip. A third player (launcher) will then load the water balloon into the pouch with one hand holding the handle and the other hand cupping the hand into the pouch. The launcher will then pull back no further than recommended. See yardage on bag front: 150 yards stretches 7 feet; 120 yards stretches 6 feet; 90 yards stretches 3 feet. Then aim at the target and let fly.

ONE PERSON - SEE BACK OF BAG: When using the one person launch method, always extend your hands and arms as far away and directly in front of your body as possible. NEVER look into the pouch while the tubing is extended. PRACTICE without balloons until you feel certain that the pouch and balloon will go freely away from you. Begin by looping the pouch strap under the tip of your right toe. Next load a small balloon into the pouch, grasp both handles, and take a step forward with your left foot. Then extend your arms straight out and away from your body. Without kicking or picking your foot up, release enough pressure on your right toe, pulling the pouch and balloon out and into the direction of your outstretched arms.

C.X. BLASTER CO., INC. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR MISHANDLING, MISUSE, DAMAGE OR INJURY FROM NON-COMPLIANCE WITH INSTRUCTIONS, USER ASSUMES RESPONSIBILITY AND LIABILITY FOR THE USEOFTHIS PRODUCT. MANUFACTURER WILL REPLACE OR REFUND ANY DEFECTIVE PRODUCT.

C.X. BLASTER CO., INC., SPRINGHILL, FL.



Cx Biaster Co. Inc. 13218 Jessica Drive Spring Hill, FL 34609 (904) 683-4862

CXTIMIT-

SPRING HICC PE GICK

<u>ö</u>:

	:				•							Guarinty			PURCHASE ORDER NO.
			24248		24247		24243		24242		24241	Item No.			ORDER DATE
TOTAL		HOSe Nozzie	Easy Filler	Balloons	Biodegradakio	(150 Yards)	Master Blaster	(120 Yards)	Blaster	(90 Yards)	.limior Biograph	Item			SHIP VIA SHIP DATE
												Unit Price			TERMS
							-				letot			•	

CPSC-Compliance --- Eastern Heaten

REQUEST FOR FIELD SERVICES - SHORT TERM

DATE: 5/18/95

ISSUANCE:

TO: Richard Swackhamer, FORR

PROJECT:

TEROUGH: AEDFO

TRON:

PRIORITY

Marc J. Schoom Director, CECA

CONTACT:

Jean Kennedy, CO

TARGET: June 5, 1995

PHONE:

504-0608 X1360

ESTIMATED MAN-HOURE:

SUBJECT: C.W. Blaster Co, Inc. Establishment Inspection

Springhill, Pl

PRODUCT: Water Balloom sling shots

FOR OFFICIAL DEE CHILY

BACKGROUND: Compliance is aware of 24 severe eye and face injuries in the past 7 years with water balloon sling shots. We are 1/u by contacting firms who make this product to review their injury reports and their labeling on products and packaging. The information would be needed by the summer season to warn of the use of these products.

Complete Establishment Inspection. Collect 2 samples of each type slingshot. Also include all packaging instructions. Copies of ALL injury reports (all sources, i.e. telephone & written reports, insurance claims,

NOTE: This has been discussed with the Regional Director. TO BE FILLED IN BY REGIONAL CENTER,

DATE COMPLETED:

suits)

COMMENTS:

MAN-HOURS ACTUALLY REQUIRED:

TRAVEL TIME REQUIRED:

U.S. CO	NSU PRODUCT SAMPLE COLLEC	TION REPORT	গাঁড়্ডাতা 📡				
1. Flag	2. Date Collected		3. Sample type & number				
CENH MARC SCHORM	6/6/95		[] Physical T-800-3242 [] Documentary				
Ha. Product Name BLASTER- Water Balloon slings	4b. Model 90 YARDS	4c. NEISS 1352	5. Assignment Ref. 95060122 0621				
<pre>6. Complete for Import Samples a. Port of Entry :_ b. Entry # & Date :_</pre>		7. MIS 32626	3. Hours: a. Activity ² b. Travel 1				
c. Country of Origin :_ d. HSUSA Code :_ e. Customs Contact ;	•	9a. Home RO	9b. Collecting RO				
	T	FOER	HOER(Orlando)				
10. Sample Cost No Charge	11. Invoice Value	of Lot	12. Size of Lot				
13. Manufacturer/Importer C.X. Blaster Co. Inc. 13218 Jessica Drive Spring Hill FL 34609 Fh 964-683-4862 fax 904-6	14. Shipper/Fore.	15. Dealer/Import Broker (residence) C.X. Blaster Co. Inc. 13218 Jessica Drive Spring Hill, FL 34609					
16. Supporting documents atta a. Invoice # & Date c. Shipping Record # & Date d. Affidavit Signer's Name, Ti	:-	cted at company	b. Date Shipped:				
OF PEOPLE***fast enough to cause serious injury if they hit a person. NEVER launch *** at eye level***Protective eye goggles are recommended***". C.X. BLASTER CO., INC./SPRINGHII FL***" 1S. Reason for Collection & Analysis Needed: FHSA[] CPSA[XXX] FFA[] PPPA[] RSA[- PSO607 ENCOCH review labeling etc., per assignment 19. Summary of Field Screening: none							
20. Sample Size. Method of Collestock on hand at her resident officially scaled as in blk	ection: Two units	Within paper i	s. Magnuson from her retail pags, id as in blk 21 and				
21. Identification on Sample: "T-800-3242 6/6/95 EJM" subs	1 & 2	22. Identificati	ion on Seal: /6/95 Edward J. Morganto"				
23a. Sample Delivered To: Federal Express-Orlando ,FL	23b. Date 6/7/95		rt/Records Sent To:				
25. Laboratory/Office: ESEL[] <i>HSHL</i> []		RM[>] CECA[] OTHER[
26. Remarks: ATTACHED: copy of assignment, affidavit. See EIR of firm for promotional materials, component list, invoices etc.							
27. Related Samples: T-800-32	42 thru 3246						
28a. Collector's Name, Title & El Edward J. Morganto, Resident	nployee # 8057	28b. Consectory	Signatufe & Date :				
20a. Reviewer's Name, Title & E. Benard L. Cabey, Supervisory	mployee # 8969	29b. kevlewer'	Signature & Date				
Distribution: Original [] L	the same of the sa] Data [] Ho	datr[] Other []				

U.S. Co	ONSU A PRODUC SA LE COLLE	CTION REPORT	MISSIO
1. Flag	2. Date Collected	,	3. Sample type & number
CERM- MARK SCHOEM	6/6/95		[] Physical T-800-3243 [] Documentary
-la. Product Name BLASTER- Water Balloon sling	4b. Model	4c. NEISS 1352	5. Assignment Ref. 95 060 X-10 0621
6. Complete for Import Sample.	S	7. MIS	3. Hours:
a. Port of Entry :_ b. Entry # & Date :_	N/A ·	32626	a. Activity 2 b. Travel
c. Country of Origin :_ :_ d. HSUSA Code :		9a. Home RO	9b. Collecting RO
e. Customs Contact :_		FOER	FOER(Orlando)
10. Sample Cost	11. Invoice Value	of Lot	12. Size of Lot
No Charge 13. Manufacturer/Importer	N/A	nian Ma	N/A
C.X. Blaster Co. Inc.	14. Shipper/For	eign Mir.	15. Dealer/ImportBroker (residence) C.X. Blaster Co. Inc.
13218 Jessica Drive	same as	mfg, blk 13	13218 Jessica Drive
Spring4Hill-4FL34609 fax 904-	-683-6281	_	Spring Hill, FL 34609
16. Supporting documents att	ached: N/A coll	ected at company	y (residence)
a. Invoice # & Date c. Shipping Record # & Date	:_ :		b. Date Shipped:
d. Affidavit Signer's Name, T	itle & Date : Mrs.	Sally A. Magnuso	on, Vice President
eye level***Protective eye	goggles are reco	ommended***". C	t a person.NEVER launch *** at .X. BLASTER CO., INC./SPRINGHIL
eye level***Protective eye FL***** IS. Reason for Collection & An review	goggles are reconstructions alvais Needed: Find labeling etc., p	ommended***". C	.X. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[-
IS. Reason for Collection & And review 19. Summary of Field Screening	goggles are reco alysis Needed: Fi labeling etc., p	ommended***''. C HSA[] CPSA(X) or assignment	.X. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[-
IS. Reason for Collection & And review 19. Summary of Field Screening	alysis Needed: Filabeling etc., page: none Uection: Two units ence. Subs place	ommended***". C HSA[] CPSA[X] or assignment provided by Mr. d within paper	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[-
IS. Reason for Collection & And review 19. Summary of Field Screening 20. Sample Size. Method of Collection & And at her reside	alysis Needed: Flabeling etc., page none Hection: Two units ence. Subs places 22 and prepared	provided by Mr. d within paper l for shipment.	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- s. Magnuson from her retail bags, id as in blk 21 and
IS. Reason for Collection & And review 19. Summary of Field Screening 20. Sample Size. Method of Collection on hand at her resident officially scaled as in blue officially scaled as in blu	alysis Needed: Flabeling etc., prig: none Hection: Two units ence. Subs places 22 and prepared 23b. Date	provided by Mr. d within paper l for shipment. 22. Identificat. "T-800-3243 6	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- s. Magnuson from her retail bags, id as in blk 21 and ion on Seal:
IS. Reason for Collection & And review 19. Summary of Field Screening 20. Sample Size. Method of Collection in black on hand at her resident of ficially scaled as in black. Identification on Sample: "T-800-3243 6/6/95 EJM" sub	alysis Needed: Filabeling etc., page none Hection: Two units ence. Subs places 22 and prepared 23b. Date L 6/7/95	provided by Mr. d within paper l for shipment. 22. Identificat "T-800-3243 6	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- S. Magnuson from her retail bags, id as in blk 21 and Sion on Seal: 6/6/95 Edward J. Morganto'' rt/Records Sent To:
IS. Reason for Collection & And review 19. Summary of Field Screening 20. Sample Size. Method of Collection on Sample officially scaled as in blk 21. Identification on Sample: "T-800-3243 6/6/95 EJM" sub 23a. Sample Delivered To: Federal Express-Orlando Files.	alysis Needed: Filabeling etc., particle none Hection: Two units ence. Subs places 22 and prepared 23b. Date L 6/7/95 [] HSHL[] of assignment, a	provided by Mr. d within paper I for shipment. 22. Identificat "T-800-3243 6 24. Orig. Report FOER HSPS[] CE	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- S. Magnuson from her retail bags, id as in blk 21 and ion on Seal: b/6/95 Edward J. Morganto'' IT/Records Sent To: ERM[] CECA[] OTHER[EIR of firm for promotional
IS. Reason for Collection & An. 1S. Reason for Collection & An. 19. Summary of Field Screening 20. Sample Size. Method of Collection on Land at her reside officially scaled as in blk 21. Identification on Sample: "T-800-3243 6/6/95 EJM" sub 23a. Sample Delivered To: Federal Express-Orlando Files. Laboratory/Office: ESEL 26. Remarks: ATTACHED: copy	alysis Needed: Filabeling etc., parg: none Hection: Two units ence. Subs places 22 and prepared 23b. Date L 6/7/95 J HSHL[] of assignment, a invoices etc. A	provided by Mr. d within paper I for shipment. 22. Identificat "T-800-3243 6 24. Orig. Report FOER HSPS[] CE	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- S. Magnuson from her retail bags, id as in blk 21 and ion on Seal: 6/6/95 Edward J. Morgante'' rt/Records Sent To: ERM] CECA[] OTHER[EIR of firm for promotional
IS. Reason for Collection & An. review	alysis Needed: Filabeling etc., particle none Hection: Two units ence. Subs places 22 and prepared 23b. Date 6/7/95 [] HSHL[] of assignment, a invoices etc. A B242 thru 3246 Employee # 8057	provided by Mr. d within paper I for shipment. 22. Identificat "T-800-3243 6 24. Orig. Report FOER HSPS[] CE affidavit. See bove attached to	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- S. Magnuson from her retail bags, id as in blk 21 and ion on Seal: b/6/95 Edward J. Morganto'' rt/Records Sent To: ERM] CECA[] OTHER[EIR of firm for promotional
eye level***Protective eye FL***" 18. Reason for Collection & An. 19. review 19. Summary of Field Screening 20. Sample Size. Method of Collection on Land at her reside of ficially scaled as in blk 21. Identification on Sample: "T-800-3243 6/6/95 EJM" sub 23a. Sample Delivered To: Federal Express-Orlando Fl 25. Laboratory/Office: ESEL 26. Remarks: ATTACHED: copy materials, component list, 27. Related Samples: T-800-3 28a. Collector's Name, Title & Action 1985 28a. Collector's Name, Title &	alysis Needed: Filabeling etc., prog: none Hection: Two units ence. Subs places 22 and prepared 23b. Date L 6/7/95 [] HSHL[] of assignment, a invoices etc. A 3242 thru 3246 Employee # 8057 ent Investigator a Employee # 8969	provided by Mr. d within paper I for shipment. 22. Identificat. "T-800-3243 6 24. Orig. Report FOER HSPS[] CE	XX. BLASTER CO., INC./SPRINGHIL XX] FFA[] PPPA[] RSA[- S. Magnuson from her retail bags, id as in blk 21 and ion on Seal: 6/6/95 Edward J. Morganto'' rt/Records Sent To: ERM[] CECA[] OTHER[EIR of firm for promotional C/R T-800-3242.

'DEC --- ---

U.S. CO	NS ER PRODUC	TION REPORT	गडङ				
1. Flag	2. Date Collected		3. Sample type & number				
CERM-MARC SCHOEM	6/6/95		[] Physical T-800-3245 [] Documentary				
4a. Froduct Name BLASTER-Water Balloon slings	4b. Model hot 120 Yd KIT	4c. NEISS 1352	5 Assignment Ref. 6621				
6. Complete for Import Samples a. Port of Entry :_ b. Entry # & Date :_ c. Country of Origin	N/A	7. MIS 32626	S. Hours: a. Activity 2 b. Travel 1				
c. Country of Origin :_ d. HSUSA Code :_ e. Customs Contact :_		9a. Home RO FOER	9b. Collecting RO FOER(Orlando)				
10. Sample Cost \$0 no charge	11. Invoice Value N/A	of Lot	12. Size of Lot N/A				
<pre>IJ. Manufacturer/Importer C.X. BLASTER CO INC.</pre>	14. Shipper/Fore.	ign Mfr.	15. Dealer/Import Broker				
13218 Jessica Dr Spring Hill, FL 34609 904-683-4862, fax 904 683-62	same as mfg bl	ock 13	C.X. Blaster Co. Inc. 13218 Jessica Dr Spring Hill, FL 34609				
 16. Supporting documents attac a. Invoice # & Date c. Shipping Record # & Date d. Affidavit Signer's Name, Tit 	N/A :		b. Date Shipped:				
at eye level***Protective eye goggles are recommended.***/ C.X. BLASTER CO. INC. SPRING HILL, FL.***". Balloons within the kit have the above ,"WARNING/ CHOKING HAZARD***". 18. Reason for Collection & Analysis Needed: FHSA[] CPSA[XXX] FFA[] PPPA[] RSA[]							
19. Summary of Field Screening 20. Sample Size. Method of Colle stock on hand at her reside officially sealed as in blo	ection: Two kits prince. subs placed	within paper ba	ag, id as in blk 21 and				
21. Identification on Sample: "T-800- 3245 6/6/95 EJM" sub	s 1&2	22. Identificatio	on on Seal: 16/95 Edward J. Morganto"				
23a. Sample Delivered To: Federal Express-Orlando	23b. Date 6/7/95		t/Records Sent To:				
25. Laboratory/Office: ESEL[] HSHL[]		RM[XX] CECA[] OTHER[
26. Remarks: ATTACHED TO C/R T-800-3242 is copy of assignment, affidavit. See EIR of firm for promotional materials, components etc.							
27 17-1-2-2-2-3-2-3-2-3-2-3-2-3-2-3-2-3-2-3	12 thru 32/6						
28a. Collector's Name, Title & En			Signature & Date/				
Edward J. Morganto, Resident 29a. Reviewer's Name. Title & El	Investigator <	seeing va	Signature & Date				
Benard L. Cabey, Supervisory	Investigator ab [] Fiscal [(50				
CPSC Form 166 [Rev. 9/91] (Adapted for			qtr[] Other[]				

U.S. CO	NS AMPLE PRODUCT	SAFETY COMMISS	S CA				
1. Flag CERM- Marc Schoem	2. Date Collected 6/6/95		3. Sample type & number \[\forall \text{XXX} \text{Physical T-800}^3246 \] \[\begin{align*}				
Ha. Froduct Name BLASTER- Water Balloon slings	4b. Model SV7	4c. NEISS 1352	5 Assignment Ref. 75 0607 ENC 0621				
6. Complete for Import Samples a. Port of Entry :_ b. Entry # & Date :_	N/A	7. MIS 32626	3. Hours: a. Activity b. Travel				
c. Country of Origin :_ d. HSUSA Code :_	•	9a. Home RO	9b. Collecting RO				
e. Customs Contact :		l	OER(Orlando)				
10. Sample Cost No Charge	11. In voice Value	of Lot	12. Size of Lot				
13. Manufacturer/Importer C.X. Blaster Co. Inc. 13218 Jessica Drive Spring Hill FL 34609 Fax 904-6	14. Shipper/Fores	ign Mfr. fg, blk 13	15. Dealer/ImportBroker C.X. Blaster Co. Inc. 13218 Jessica Drive Spring Hill, FL 34609				
16. Supporting documents atta a. Invoice # & Date c. Shipping Record # & Date d. Affidavit Signer's Name, Ti	: :_	cted at company (b. Date Shipped:				
eye level***Protective eye FL***** Has insert,"***THE/H cautions as on the plastic IS. Reason for Collection & Ana.] review 19. Summary of Field Screening	bag. Ivsis Needed: FH: abeling etc., pe	SA[] CPSA[XXX]	-				
20. Sample Size. Method of Coll stock on hand at her resider officially scaled as in blk	ice. Subs placed	within paper bag	Magnuson from her retail s, id as in blk 21 and				
21. Identification on Sample: "T-800-3246 6/6/95 EJM" subs	1&2	22. Identification "T-800-3246 6/6	on Seal: /95 Edward J. Morganto"				
23a. Sample Delivered To: Federal Express-Orlando ,FL	23b. Date 6/7/95	24. Orig. Report/.	Records Sent To:				
25. Laboratory/Office: ESEL[]	HSPS[] CERM	XXXX] CECA[] OTHER[
26. Remarks: ATTACHED: copy of assignment, affidavit. See EIR of firm for promotional materials, component list, invoices etc. Records above attached to C/R T-800-3242.							
27. Related Samples: T-800-33		120% 0017					
28a. Collector's Name, Title & E Edward J. Morganto, Residen		256. Collector's S	aspecto. 69				
29a. Reviewer's Name, Title & E Benard L. Cabey, Supervisor	Employee # 8969 y Investigator	29b Reviewer's	Signature & Date				

FROM : C.X. BLASTER CO., INC.

PHONE NO. : 904 683 (

SPRING HRG FC

TIR

C.X. Blaster Co., Inc. - 13218 Jessica Dr. - Spring Hill, FL 34609 904-683-4862 - FAX: 904-683-6281

Fax to:

Mr. Edward J. Morganto

Fax #: 407-648-6850

Number of pages including this cover sheet: 2

Person sending fax: Sally Magnuson

Message: Good afternoon Mr. Morganto,

I have found the letter that we discussed yesterday. The launcher that was involved in this accident had been altered by the users when they replaced our surgical tubing (natural latex) with a buytl rubber material.

Best regards, Sally

SUPPLEMENT C. K. BC HTTPA SOUTH WILL, F

SPOHRER WILNER & MAXWELL P.A.

Robert F. Spohrer' Norwood & Wilner Gregory H. Maxwell George D. Gardner Donald M. Maolejewski^a Patricia Mentin Stanford H. Kelth Thomerson Stephanie J. Franda

Attorneys

Counselors At Law

444 East Duvel Street Jacksonville, FL 32202 904-354-8310 Faceimile 904-358-6889

erd Certified Civil Trial

Also admitted in DC Also admitted in IL. AL and USVI Also admitted in MD. DC and GA.

September 20, 1994

Certified Mail Return Receipt Requested

Sally Magnuson C. X. Blaster, Inc. 13218 Jessica Drive Spring Hill, FL 34609

Re: Blaster Water Balloon Slingshot

Dear Ms. Magnuson:

Thank you for speaking with me on September 19, 1994. I would appreciate if you would forward to me a notarized affidavit regarding the fact that you do not carry any form of general or special liability insurance for sale and distribution of the Blaster Water Balloon Slingshot. Normally, when injuries are caused or related to sale of a product such as yours, we direct our questions to the liability insurance carrier/claims manager. However, because you do not carry insurance, we are directing the following inquiries to you.

You made several statements during our conversation which caused me concern. Specifically, you related that it was your opinion that there was no defect in the butyl rubber material (which you advertise as "surgical tubing") which is part of the slingshot assembly. I would appreciate your forwarding me all documentation which substantiates your opinion regarding this matter and also ask that you advise me of the name and address of your supplier of the butyl rubber material. If the manufacturer or supplier of the butyl rubber material provided you with a defective product, the manufacturer may be liable for injuries caused therefrom.

On several related matters, I would also appreciate your taking time to provide me with information regarding the following questions:

Please list the names, addresses and phone numbers of all members/officers of the C.X. Blaster, Inc.

(C)		1c	-21		
	CONSUMER	PRODUCT	INC	CIDENT	RE
OF RESPONDENT			2.	PHONE	NO

CONSUMER PRODUCT	- 1	REDORT.	APR 2	1 1994 }
CONSOMER PRODUCT	INCIDENT	REPORT	•	tan=7/-
1. NAME OF RESPONDENT Tad Samulski	2. PHONE 919-929-6	NO. (HOME) 5463	(WOR	K) 0
3. STREET ADDRESS	4. CITY		ST	ATE ZIP CODE
Box 5474	Laurinbur	g		C 28352
5. DESCRIBE INCIDENT OR HAZARD, INCLUDING Consumer, Graham Smith, shot water ballog			t respo	ndent and
hit respondent in his left eye. Respondent Hospital and diagnosed with a torn iris	ent was ta	aken to Sco	tland M	emorial
for eye. Consumer discarded original, b				
sling shot. CPSC Source: TEL				•

6. DATE 7.IF INJURY OR NEAR MISS OBTAIN OF 22 Y/M	N AGE/SEX			ERENT FROM OVIDE NAME
INCIDENTS AND DESCRIBE INJURY:		self	ENI, PR	JAIDE NAME
2/25/94 torn iris muscle in left eye			ONSHIP	
		self		
9. DESCRIPTION OF PRODUCT		10. BRAND		
water balloon/sling shot		Blaster Sl	ing Sho	t
11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Blaster Co.	12. MODEI	, SERIAL N	IUMBERS	
unknown	diknown			
unknown		ER'S NAME,	ADDRESS	& PHONE
unknown unknown	Klig's Ki	ite Store		
unknown	1	each, SC 00	000	
unknown	unknown	•		
14. WAS THE PRODUCT DAMAGED, REPAIRED OR	15 PRODI	ICT PITECHAS	ED NE	W x USED
MODIFIED? YES NO x IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:	DATE PURC			GE unknown
	1	_		ING LABELS?
•		containing		this produc
		property.		, Feed 07
17. HAVE YOU CONTACTED THE 18. IS TH	 E PRODUCT	CTTT	11	9. MAY WE
MANUFACTURER? YES NO x AVAILABLE				SE YOUR NAME
	TS DISPOSI		1	ITH THIS
THEM? YES NO x OTHER? 1st disca	raea; laer	ntical avai		EPORT? ES x NO
·				
FOR ADMIN 20. DATE RECEIVED 21. RECEIVED B	ISTRATION V (NAME C		22 100	UMENT NO.
20. DATE RECEIVED 21. RECEIVED B 04/11/94 kgw/HL	Y (INAME &	OFFICE	H#44005	
		· · · · · · · · · · · · · · · · · · ·		
23. FOLLOW-UP ACTION			24. PRO	DUCT CODE(S)
				135D '
25. DISTRIBUTION 26	. ENDORSI	ER'S NAME	TITLE	

CPSC FORM 175 (9/89)

